

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ACKERMAN MCQUEEN, INC.,

*Plaintiff,*

v.

GRANT STINCHFIELD,

*Defendant.*

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Civil Action No. 3:19-CV-03016-X

**MEMORANDUM OPINION AND ORDER**

This is a lawsuit over an allegedly defamatory affidavit. The case is in the discovery phase of litigation. Ackerman McQueen filed a Motion to Compel [Doc. No. 21]. The Court referred the motion to the Magistrate Judge [Doc. No. 24], who granted in part and denied in part [Doc. No. 40]. Stinchfield then filed a Motion for Reconsideration asking the District Court to reconsider and revise the Magistrate Judge's order.

**I. Legal Standards**

Federal Rule of Civil Procedure 54(b) states that:

any order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.<sup>1</sup>

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<sup>1</sup> FED. R. CIV. P. 54(b).

“Although the precise standard for evaluating a motion to reconsider under Rule 54(b) is unclear, whether to grant such a motion rests within the discretion of the court.”<sup>2</sup> The court “possesses the inherent procedural power to reconsider, rescind, or modify an interlocutory order for cause seen by it to be sufficient.”<sup>3</sup>

## II. Analysis

The Court reviewed the Magistrate Judge’s order, Stinchfield’s motion, and the parties’ briefing. The Court determined that there is no sufficient reason to revise the Magistrate Judge’s order. Accordingly, the Court **DENIES** the motion for reconsideration and **ORDERS** Stinchfield to comply with the Order [Doc. No. 40] within 10 days.<sup>4</sup>

**IT IS SO ORDERED** this 2nd day of March, 2021.

  
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BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> *Dos Santos v. Bell Helicopter Textron, Inc.*, 651 F. Supp. 2d 550, 553 (N.D. Tex. 2009) (Means, J.) (citation omitted).

<sup>3</sup> *S.E.C. v. Cuban*, 2013 WL 1091233, at \*2 (N.D. Tex. Mar. 15, 2013) (Fitzwater, C.J.) (citations omitted).

<sup>4</sup> Ackerman’s motion to compel sought “complete production of the requested documents and information within 10 days of this Court’s Order,” which the Magistrate Judge granted, and this Court affirms. Doc. 40 at 1–2 (quoting Doc. 21 at 1–2).